

Docket No. **112//002**  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**OCT 30 2003**

**U.S. PATENT & TRADEMARK OFFICE**

Applicants : Abraham Korol et al

Serial No. : 09/552,147 Art Unit: 1638

Filed : April 19, 2000 Examiner: A. Kubelik

For: A METHOD FOR PLANT TRANSFORMATION BASED ON A POLLINATION FECUNDATION PATHWAY AND THE PRODUCTS THEREOF

**Declaration of Professor Abraham Korol Pursuant to 37 C.F.R. 1.132(a)**

1. I am an inventor in the above referenced application. I am currently a professor of Genetics, in the Department of Science at the University of Haifa, in Israel. I am also President, for MultiQTL Limited, a Company located in Haifa, Israel, and the assignee of the above referenced application.
2. The following responses represent our answers to the Office Action of August 6, 2001.
3. We are seeking patent protection for methods for genetic transformation of a plant reproducing sexually, using the pollination-fecundation process involving silicon carbide fibers.
4. We have thus far tested our invention in a number of plants including maize, tomato and melon in the field.
5. We submitted the detailed experimental protocols for maize in the above referenced patent application and submitted claims for a method that is applicable generally to sexually reproducing plants.
6. However, the Office Action dated August 6, 2001, has rejected our claims as being non-enabled as to plants other than maize because we did not include our data for other plants.

7. In fact, the reason why we did not include all of the data on different plants, is because they were becoming duplicative and too extensive for a patent specification. The experiments in the tomato and melon were so carried out using different concentrations of the reagents but the overall method was the same as described for maize. We established optimal conditions and concentrations for other plants by carrying out routine and simple dose-response studies. No undue experimentation was necessary and even our students were able to carry out the procedure.
10. I hereby declare that all statements made herein to my knowledge are true, and all statements made on information and beliefs are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon.

BY: 

Professor Abraham Korol

Date: 12.11.2001